

APPEAL NO. 022058
FILED SEPTEMBER 24, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on July 15, 2002. The hearing officer resolved the disputed issue by deciding that the compensable injury of _____, does extend to and include an injury to the left ankle/foot of tarsal tunnel syndrome and neuroma but that it does not extend to and include an injury to the left ankle/foot of causalgia. The appellant/cross-respondent (self-insured) appeals the determination regarding tarsal tunnel syndrome and neuroma arguing that these conditions are ordinary diseases of life and that the respondent/cross-appellant (claimant) failed to prove a causal connection of these conditions to her compensable injury. The self-insured further argues that medical evidence should have been submitted which established the causal connection as a matter of reasonable medical probability. The claimant responds, urging affirmance. The claimant appeals the determination regarding causalgia on sufficiency grounds. The appeal file does not contain a response from the self-insured.

DECISION

Affirmed.

We have held that the question of the extent of an injury is a question of fact for the hearing officer. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993. Section 410.165(a) provides that the hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as the weight and credibility that is to be given the evidence. It was for the hearing officer, as trier of fact, to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). This is equally true regarding medical evidence. Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The trier of fact may believe all, part, or none of the testimony of any witness. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). The hearing officer was not persuaded that the causalgia was related to the compensable injury but determined that the compensable injury does extend to and include tarsal tunnel syndrome and neuroma of the claimant's left foot/ankle. The hearing officer's decision is supported by sufficient evidence and it is not so against the great weight and preponderance of the evidence as to be clearly wrong and manifestly unjust.

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **(SELF-INSURED)** and the name and address of its registered agent for service of process is

**MANAGER
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Margaret L. Turner
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Michael B. McShane
Appeals Judge